

Article - Public Safety

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§3-102. IN EFFECT

(a) Except for the administrative hearing process under Subtitle 2 of this title that relates to the certification enforcement power of the Police Training and Standards Commission, this subtitle supersedes any other law of the State, a county, or a municipal corporation that conflicts with this subtitle.

(b) Any local law is preempted by the subject and material of this subtitle.

(c) This subtitle does not limit the authority of the chief to regulate the competent and efficient operation and management of a law enforcement agency by any reasonable means including transfer and reassignment if:

(1) that action is not punitive in nature; and

(2) the chief determines that action to be in the best interests of the internal management of the law enforcement agency.

§3-102. ** TAKES EFFECT JULY 1, 2022 PER CHAPTER 59 OF 2021 **

(a) Each county shall have a police accountability board to:

(1) hold quarterly meetings with heads of law enforcement agencies and otherwise work with law enforcement agencies and the county government to improve matters of policing;

(2) appoint civilian members to charging committees and trial boards;

(3) receive complaints of police misconduct filed by members of the public; and

(4) (i) on a quarterly basis, review outcomes of disciplinary matters considered by charging committees; and

(ii) on or before December 31 each year, submit a report to the governing body of the county that:

1. identifies any trends in the disciplinary process of police officers in the county; and

2. makes recommendations on changes to policy that would improve police accountability in the county.

(b) (1) (i) Subject to subparagraph (ii) of this paragraph, the local governing body shall:

1. establish the membership of a police accountability board;

2. establish the budget and staff for a police accountability board;

3. appoint a chair of the police accountability board who has relevant experience to the position; and

4. establish the procedures for record keeping by a police accountability board.

(ii) An active police officer may not be a member of a police accountability board.

(2) To the extent practicable, the membership of a police accountability board shall reflect the racial, gender, and cultural diversity of the county.

(c) (1) A complaint of police misconduct filed with a police accountability board shall include:

(i) the name of the police officer accused of misconduct;

(ii) a description of the facts on which the complaint is based;
and

(iii) contact information of the complainant or a person filing on behalf of the complainant for investigative follow-up.

(2) A complaint need not be notarized.

(d) A complaint of police misconduct filed with a police accountability board shall be forwarded to the appropriate law enforcement agency within 3 days after receipt by the board.

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